

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

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YOLANDA WRIGHT, Individually and on :  
behalf of her minor son, MEKHI BURKETT, and :  
ROSE RITA BAILEY, Individually and on :  
behalf of her minor son, JAWUANE JOHNSON, :  
Plaintiffs, :

v. :

No. 5:20-cv-02664

WHITEHALL TOWNSHIP, MICHAEL MARKS, :  
AARON REED, MICHAEL SLIVKA, KENNETH :  
STEPHENS, TIMOTHY DUGAN, BRIAN :  
CUTH, JEFFREY APGAR, MATTHEW RESZEK, :  
MICHAEL P. HARAKAL, JR., WHITEHALL- :  
COPLAY SCHOOL DISTRICT, LORIE D. :  
HACKETT, and ROBERT HARTMAN, :  
Defendants. :

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**ORDER**

**AND NOW**, this 12<sup>th</sup> day of January, 2021, upon consideration of Defendants' motions to dismiss Plaintiffs' Amended Complaint, *see* ECF Nos. 10, 18, 19, and for the reasons set forth in the Opinion issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' motions to dismiss, ECF Nos. 10, 18, 19, are **GRANTED**.
2. Any and all claims against Defendants Michael Marks, Michael Harakal, and Lorie Hackett are **DISMISSED, with prejudice**.
3. The following counts of the Amended Complaint are also **DISMISSED, with prejudice**: three and twelve; four and thirteen; six and fifteen; eight and seventeen; and nineteen through twenty-two.
4. The following counts of the Amended Complaint are **DISMISSED, without prejudice**, and with leave to re-plead: five and fourteen, and seven and sixteen.

5. Should Plaintiffs elect to file a second amended complaint, they shall do so within **twenty-one (21) days** of the issuance of this Order.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge